

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 514

BY LOCAL GOVERNMENT COMMITTEE

AN ACT

RELATING TO CLASSIFICATION AND RETENTION OF COUNTY RECORDS; AMENDING SECTION 31-871, IDAHO CODE, TO PROVIDE THAT DISPOSITION OF RECORDS SHALL BE UNDER THE DIRECTION AND SUPERVISION OF THE ELECTED OFFICIAL OR DEPARTMENT HEAD RESPONSIBLE FOR SUCH RECORDS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 31-871, Idaho Code, be, and the same is hereby amended to read as follows:

31-871. CLASSIFICATION AND RETENTION OF RECORDS. (1) County records shall be classified as follows:

(a) "Permanent records" shall consist of, but not be limited to, the following: proceedings of the governing body, ordinances, resolutions, building plans and specifications for commercial projects and government buildings, bond register, warrant register, budget records, general ledger, cash books and records affecting the title to real property or liens thereon, and other documents or records as may be deemed of permanent nature by the board of county commissioners.

(b) "Semipermanent records" shall consist of, but not be limited to, the following: claims, contracts, canceled checks, warrants, duplicate warrants, license applications, building applications for commercial projects and government buildings, departmental reports, purchase orders, vouchers, duplicate receipts, bonds and coupons, registration and other election records excluding election ballots and tally books, financial records, and other documents or records as may be deemed of semipermanent nature by the board of county commissioners.

(c) "Temporary records" shall consist of, but not be limited to, the following: correspondence not related to subsections (1) and (2) of this section, building applications, plans, and specifications for noncommercial and nongovernment projects after the structure or project receives final inspection and approval, cash receipts subject to audit, election ballots and tally books, and other records as may be deemed temporary by the board of county commissioners.

(d) Those records not included in subsection (1) (a), (b) or (c) of this section shall be classified as permanent, semipermanent or temporary by the board of county commissioners and upon the advice of the office of the prosecuting attorney.

(2) County records shall be retained as follows:

(a) Permanent records shall be retained for not less than ten (10) years.

(b) Semipermanent records shall be kept for not less than five (5) years after date of issuance or completion of the matter contained within the record.

1 (c) Temporary records shall be retained for not less than two (2) years.

2 (d) Records may only be destroyed by resolution of the board of
3 county commissioners after regular audit and upon the advice of the
4 prosecuting attorney. A resolution ordering destruction must list,
5 in detail, records to be destroyed. Such disposition shall be under
6 the direction and supervision of the ~~board's clerk~~ elected official or
7 department head responsible for such records.

8 (e) The provisions of this section shall control the classification and
9 retention schedules of all county records unless otherwise provided in
10 Idaho Code or any applicable federal law.